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VIA ECF

Honorable Naomi Reice Buchwald
United States District Judge
United States District Court
Southern District of New York
500 Pearl Street – Courtroom 21A
New York, NY 10007-1312

**Re: *In re LIBOR-Based Financial Instruments Antitrust Litig.*, No.11-MD-2262 (NRB);
The Berkshire Bank v. Bank of America, et al., No. 12-cv-5723-NRB**

Dear Judge Buchwald:

We represent the Lender Plaintiffs. Last night, we repeatedly attempted to file (i) Lender Plaintiffs' Reply Memorandum in Support of Motion For Final Approval of Settlement with Deutsche Bank AG and Motion For Attorneys' Fees and Reimbursement of Litigation Expenses, (ii) Proposed Final Judgment and Order, and (iii) Supplemental Declaration of Jennifer M. Keough, but we were unable to file through ECF due to apparent technical difficulties with the system. We informed counsel for Deutsche Bank AG of the issue last night. Pursuant to ECF Rule 23.6, we promptly filed the documents as soon as the system was restored (ECF Nos. 3267, 3268, and 3269) and are filing this statement explaining how the interruption in service prevented the filing.

Respectfully submitted,
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Counsel for the Lender Plaintiffs

cc: All Counsel of Record (via ECF)